

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: June 19, 2019

Final Decision Date Deadline: June 19, 2019

**STATEMENT OF THE ISSUE:** The minutes of the May 15, 2019, Regular Meeting of the Richmond Rent Board require approval.

## INDICATE APPROPRIATE BODY

- |   |   |  |  |   |
|---|---|--|--|---|
| <input type="checkbox"/> City Council               | <input type="checkbox"/> Redevelopment Agency                             | <input type="checkbox"/> Housing Authority     | <input type="checkbox"/> Surplus Property Authority          | <input type="checkbox"/> Joint Powers Financing Authority |
| <input type="checkbox"/> Finance Standing Committee | <input type="checkbox"/> Public Safety Public Services Standing Committee | <input type="checkbox"/> Local Reuse Authority | <input checked="" type="checkbox"/> Other: <u>Rent Board</u> |   |

## ITEM

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) |  |  |
| <input type="checkbox"/> Public Hearing   | <input type="checkbox"/> Regulation  | <input checked="" type="checkbox"/> Other: <u>CONSENT CALENDAR</u> |
| <input type="checkbox"/> Contract/Agreement   | <input type="checkbox"/> Rent Board As Whole                                     |  |
| <input type="checkbox"/> Grant Application/Acceptance                                 | <input type="checkbox"/> Claims Filed Against City of Richmond                   |  |
| <input type="checkbox"/> Resolution   | <input type="checkbox"/> Video/PowerPoint Presentation (contact KCRT @ 620.6759) |  |

**RECOMMENDED ACTION:** APPROVE the minutes of the May 15, 2019, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**F-1.**

**RICHMOND, CALIFORNIA, May 15, 2019**

The Regular Meeting of the Richmond Rent Board was called to order at 5:00 P.M.

**PLEDGE TO THE FLAG**

**ROLL CALL**

**Present:** Boardmembers Finlay, Maddock, and Vice Chair Gerould.

**Absent:** Chair Gray.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

None.

**PUBLIC FORUM**

Cordell Hindler invited the Rent Board to attend a community event that will be held in the month of June. He also mentioned that he reached out to the Iron Triangle Council regarding the Rent Program providing a presentation on Rent Control. He also mentioned that he will speak with the membership of Park Plaza Neighborhood Council to see if they are interested in Rent Program staff members providing a presentation on Rent Control at their formal meeting. He will provide more information at a later date. He also mentioned that he will reach out to the Richmond Neighborhood Coordinating Council to see what month will work for Rent Program staff members to provide an update on Rent Control, housing, and other housing-related topics.

**RENT BOARD CONSENT CALENDAR**

On motion of Boardmember Finlay, seconded by Vice Chair Gerould, the item(s) marked with an (\*) were approved with Chair Gray absent.

\*F-1. Approve the minutes of the March 20, 2019, Regular Meeting of the Richmond Rent Board.

\*F-2. Receive letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100.

\*F-3. Receive the March 2019 Rent Program Monthly Report.

\*F-4. Receive the Rent Program FY 2018-19 Monthly Revenue and Expenditure Report through March 2019.

### **RENT BOARD AS A WHOLE**

G-1. Rent Services Analyst Philip Verma presented on the department's compliance efforts during Fiscal Year 2018-19. The presentation included the statement of the issue, primary tasks, collection of past due fees, property enrollment and invoicing, corrections to database, profile of Landlord compliance that included Richmond Landlords by number of units owned, Landlord who have not paid any Rental Housing Fees, statistics regarding payment of the Rental Housing Fee, next steps and the recommended action. Discussion ensued. There were no public comments on this item. The Board received the presentation on this item and no action was taken.

### **STUDY AND ACTION SESSION**

H-1. Deputy Director Paige Roosa presented on the matter concerning a proposed Owner Move-In regulation and directing staff to hold at least two workshops to solicit feedback from community members concerning Owner Move-In evictions. The presentation included background information, a statement of the issue, areas of inquiry from community members and staff, policy considerations, case study research, next steps and the recommended action. Discussion ensued. There were no public comments on this item. A motion by Vice Chair Gerould, seconded by Boardmember Maddock, to receive the presentation from Rent Program staff members concerning the proposed Owner Move-In eviction regulation and direct staff to (1) hold at least two workshops to solicit feedback and gather information from community members; (2) analyze the 36 Owner Move-in evictions forms that have been submitted to the Rent Program; and (3) report back to the Board with the community members feedback and staff recommendations for further discussion and consideration, passed by the following vote: **Ayes:** Boardmembers, Finlay, Maddock and Vice Chair Gerould. **Noes:** None. **Abstentions:** None. **Absent:** Chair Gray.

**CONSIDERATION OF APPEALS**

I-1. Staff Attorney Charles Oshinuga presented on the matter of Appeal regarding Petition No. RC18-T014. Landlord appeals a Hearing Examiner's decision that (1) found that the subject property was treated as a triplex as it contained three dwelling units, thus subjecting it to the full provisions of the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance; (2) found that the Landlord charged rents in excess of the permissible rent levels; (3) found that the subject property contained inadequate housing services; and (4) determined that the Landlord owed the Tenant \$6,521.95. On appeal, Landlords challenges both the Hearing Examiner's findings and the Rent Board's jurisdiction to hear this matter. There were no public comments on this item. All parties of the case were present. The appeal hearing began and the following individuals were present and sworn in: Jasdeep Bal and Ishtar Peeler. Prior to receiving statements from the parties, the Rent Board had to decide whether to Remand the matter back to the Hearing Examiner based on a defective Record. The parties argued to the Rent Board that they wanted to proceed with the appeal despite the defect in the Record. Despite their arguments, the Rent Board unanimously voted to adopt the Staff Attorney's recommendation and remand the matter back to the Hearing Examiner with directions to expedite the new hearing, allowing supplementation of existing evidence, for the Hearing Examiner to render a decision within 10 business days instead of within 30 business days and if any party appeals the decision, to schedule the Appeal Hearing as soon as possible.

**REPORTS OF OFFICERS**

Executive Director Nicolas Traylor gave a report that Rent Services Analyst, Magaly Chavez provided a presentation about the Rent Ordinance to the Iron Triangle Neighborhood Council on May 15th, with the assistance of Mr. Cordell Hindler who helped coordinate the outreach efforts for that meeting as well as all of the Richmond Neighborhood Councils. He also gave a brief update on the upcoming Security Deposits – Rights and Responsibilities for Richmond Landlords and Tenants workshop on Saturday, May 18, 2019.

**ADJOURNMENT**

**ITEM F-1  
ATTACHMENT 1**

There being no further business, the meeting adjourned at  
6:45 P.M.

Cynthia Shaw and Paige Roosa  
Staff Clerks

(SEAL)

Approved:

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David Gray, Chair